

POLICY

BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: AFA, EGH-RA, EGI-RA, EHB-RB, EHC-RA, JOA-RA, KBA, KBA-RA
Office: Superintendent of Schools

Release of Data

I. PURPOSE

To provide the Board of Education and the public with timely access to data from MCPS research and evaluation studies and other school systemwide data, information, and statistics that are in the public domain (any product produced using public funds).

II. ISSUE

Federal and state law provides for the public's right to inspect and obtain information generated by public agencies. MCPS practices have long supported these principles. The release of data, however, must be done so that the rights of individuals are protected as provided in the Family Educational Rights and Privacy Act and the Public Information Act of Maryland. It must be clear to all interested parties what data are obtainable and how those data can be obtained.

III. POSITION

- A. With the exceptions noted below, MCPS will promptly release data from research and evaluation studies, as well as other systemwide data, information, and statistics which are clearly in the public domain, to the Board and to the public, whether stored in computer files or hardcopy form and whether or not the data have been included in previously published reports. The superintendent shall determine when and under what circumstances such releases will be made, as described in (D) below.
- B. If the data or other materials are produced as the result of the provision of state or federal laws, regulations, or conditions on the use of funds, all requirements for the release of data imposed by state or federal laws, regulations, or conditions on the use of those funds shall be observed.
- C. Outside agencies sometimes specify a particular release date for data. MCPS will release such data in accordance with the specifications.

- D. Requests will be processed as expeditiously as possible, and in accordance with the provisions of the Public Information Act of Maryland which provides that records shall be released within a period not to exceed 30 days after receipt of a written request.
- E. The superintendent or a designee may release data with qualifications regarding its reliability and utility, and may describe plans for further analyses and provide other information relating to the data.
- F. The public may obtain data by requesting in writing that the superintendent provide the data, subject to the limitations contained in this policy. The request should describe with reasonable specificity the kinds of data elements that are needed, whether the data are preferred to be provided in hard copy or machine readable form, and when the data are needed.
- G. If the data are more than six pages in length or are provided in machine readable form, the superintendent may impose a reasonable charge for the cost of reproducing the data.
- H. Refusal to release data may be appealed in accordance with MCPS policies and state law.
- I. MCPS has no obligation to release data, under the provisions of this policy, that are not readily available in either hardcopy form, or in computer files that can be inexpensively copied. Further, the school system has no obligation to provide data in other than the format in which the data are stored.

IV. DESIRED OUTCOMES

Implementation of this policy will provide a process for obtaining the timely release of data. This will facilitate clear communication between the school system and the community about the release of information relating to the function of the school system while complying with federal and state laws.

V. IMPLEMENTATION STRATEGIES

- A. The superintendent will create a process for the release of data that facilitates the public's right to inspect and receive copies of data collected or calculated by MCPS that are not excluded from release under the provisions of this policy, other policies, state or federal laws.
- B. Procedures for releasing data contained in student records are set forth in Administrative Regulation JOA-RA: *Student Records*.

- C. Data contained in statistical reports or files will be released in accordance with Administrative Regulation EGH-RA: *Preparation of Statistical Reports*.
- D. Data related to research designs and products from the Department of Educational Accountability will be in accordance with Policy AFA: *Educational Accountability*.
- E. Data contained in other records and files will be released in accordance with Policy KBA: *Policy on Public Information* and Administrative Regulation KBA-RA: *Public Information*.
- F. The superintendent will develop regulations as needed to implement this policy.

VI. REVIEW AND REPORTING

This policy will be reviewed every three years in accordance with the Board of Education policy review process.

Policy History: Adopted by Resolution 792-92, November 10, 1992.